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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,754	12/02/2003	Glenn Steven Witherspoon	22009-000110	6827
20350	7590	09/08/2005		
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER LE, UYEN CHAU N	
			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,754

Applicant(s)

WITHERSPOON, GLENN STEVEN

Examiner

Uyen-Chau N. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Requesting Continued Examination (RCE)

1. Receipt is acknowledged of the Requesting Continued Examination (RCE) field 29 August 2005.

Claim Objections

2. Claims 1 and 12 are objected to because of the following informalities:

Re claim 1, line 3: Substitutes "portable electronic account device" with -- portable user electronic account device --.

Re claim 1, line 15: Substitutes "user electronic account device" with -- portable user electronic account device --.

Re claim 12, line 3: Substitutes "portable electronic account device" with -- portable user electronic account device --.

Re claim 12, line 39: Substitutes "user electronic account device" with -- portable user electronic account device --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blegen et al (US 6,757,716) in view of Kapp et al (US 5,233,547) and Benyak (US 6,533,173).

Re claim 1: Blegen et al discloses a method for reconciling a financial account of a user, comprising: accessing on a personal computer, from the uploaded data, a user list of the transactions entered by the user on the portable user electronic account register device, downloading from a financial institution computer to the personal computer a financial institution list of transactions from a financial institution; comparing, on the personal computer, the user list and the financial institution list item by item; providing a reconciliation function for each item on both of the lists (figs. 3a-6; col. 4, line 59 through col. 8, line 34).

Blegen et al is silent with respect to entering user financial transaction data on the portable electronic account; uploading the transactions entered by the user as uploaded data to a personal computer.

Kapp et al teaches a portable electronic checkbook 20, which can transmit all transaction data to a personal computer (fig. 1; col. 5, lines 5-44).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate a conventional portable checkbook of Kapp et al into the system as taught by Blegen et al in order to provide Blegen with an alternative way of entering transaction data into the system (i.e., downloading from the portable device). Furthermore, such modification would provide Blegen et al with a more

accurate and faster system preventing error during manually entering the transaction data.

Blegen et al as modified by Kapp et al is silent with respect to downloading reconciliation information from the personal computer to on the user electronic account register device.

Benyak teaches a portable electronic device 10 facilitates communication with a computer 20 for downloading information from the computer 20 (fig. 1; col. 4, lines 45+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Benyak into the system as taught by Blegen et al/Kapp et al in order to provide the user the ability of later retrieving reconciliation information when desired for verification at any place via the portable device.

5. Claims 5-6, 8-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blegen et al as modified by Kapp et al and Benyak as applied to claim 1 above, and further in view of Schrader et al (US 5,903,881). The teachings of Blegen et al as modified by Kapp et al and Benyak have been discussed above.

Re claims 5-6, 8-9 and 11: Blegen et al as modified by Kapp et al and Benyak has been discussed above but is silent with respect to providing an indication whether an item has been cleared for each item upon completion of the reconciliation function.

Schrader et al discloses a method for reconciling a financial account of a user on a user device 301 (fig. 13; col. 12, lines 30+), comprising: accessing a user list of transactions entered by the user (i.e., set of transactions that have been cleared for or

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at the financial institution since the date 164 of the last update) (col. 17, lines 23+); downloading a financial institution list of transactions from a financial institution; storing the financial institution list of transactions on the user device (i.e., stored in database module 1407 (fig. 14; col. 17, lines 35+)); comparing the user list and the financial institution list item by item (i.e., matching) (col. 17, lines 40+); and providing a reconciliation function for each item on both of the lists (col. 17, line 40 through col. 18, line 44); wherein the user device is a personal computer, and the accessing a user list of transactions comprises uploading the user list from an electronic account register; wherein the user device is an electronic account register (fig. 13; col. 12, lines 30+); providing an indication whether an item has been cleared for each item upon completion of the reconciliation function (i.e., rendered in a different color and being removed from the mini checkbook 181 (col. 18, lines 1+ and lines 18+)); downloading cleared items, and items on the financial institution list of transactions but not on the user list, from a computer to an account register device (i.e., set of transactions that have been cleared for or at the financial institution since the date 164 of the last update (col. 17, lines 23-40); exporting data regarding the transactions to a money management program (i.e., finance application 304 or Quicken® (Schrader et al: col. 2, lines 45+ and col. 16, line 63 through col. 18, line 44).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Schrader et al into the system as taught by Blegen et al/Kapp et al/Benyak in order to provide Blegen et al/Kapp et

al/Benyak with a more reliable system in which the user can verify the cleared items readily via the marking, and therefore an obvious expedient.

6. Claims 5-6, 8-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blegen et al as modified by Kapp et al and Benyak as applied to claim 1 above, and further in view of Dunn et al (US 5,134,564). The teachings of Blegen et al as modified by Kapp et al and Benyak have been discussed above.

Re claims 2-4, 10, 12 and 21-24: Blegen et al/Kapp et al/Benyak have been discussed above and further discloses comparing the transactions to match transactions on the financial institution list to transactions on the user list (col. 17, lines 40-45), but is silent with respect to identifying unmatched transactions; attempting to match the unmatched transactions, absent user input, according to predetermined criteria to provide proposed matches; presenting the proposed matches to the user; accepting, on an item by item basis, a confirmation of the proposed matches by the user; presenting to the user a first group of transactions on the user list, but not on the financial institution list; presenting to the user a second group of transactions on the financial institution list but not on the user list; providing a user input capability for matching items from the first and second groups; and providing an indication whether an item has been cleared for each item upon completion of the reconciliation function.

Dunn et al teaches a method of reconciling financial transactions comprising identifying unmatched transactions (col. 6, lines 58-64); attempting to match the unmatched transactions, absent user input, according to predetermined criteria to provide proposed matches; presenting the proposed matches to the user (col. 7, lines

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45-56); accepting, on an item by item basis, a confirmation of the proposed matches by the user; presenting to the user a first group of transactions on the user list, but not on the financial institution list; presenting to the user a second group of transactions on the financial institution list but not on the user list; providing a user input capability for matching items from the first and second groups (i.e., the user has an opportunity to select a record in the group) (col. 6, line 41 through col. 9, line 20).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Dunn et al into the system as taught by Blegen et al/Kapp et al/Benyak in order to provide Blegen et al/Kapp et al/Benyak with a more accurate system in which the user has the opportunity to verify his/her transactions record with the record of the financial institution for the unmatched transactions, which preventing wrong matching pair occurred in the event of typo in transaction recording. Furthermore, such modification would provide Schrader et al/Simmons with a more accurate and a time consumption system (i.e., by presenting/displaying the list of highest proposed match to the user, the user can selects the best match readily out of the highest match list without wasting time going through a whole unmatched record).

Response to Arguments

7. Applicant's arguments with respect to claims 1-12 and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patents to Benton et al (US 4625276 A); Rosen (US 5453601 A); Rosen (US 5455407 A); Schrader et al (US 5649115 A); Daggar (US 5748737 A); Rosen (US 5898154 A); Cresswell (US 20030046229 A1); Krause (US 6609095 B1) are cited as of interest and illustrate to a similar structure of a method for reconciling a financial account of a user on a user device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on First Monday 5:30AM-1:30PM and Tues-Fri 5:30AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Vyên-Chau N. Le', with a long horizontal stroke extending to the left.

Vyên-Chau N. Le
Examiner
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September 6, 2005